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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,622	11/15/2001	Carl L. Deppisch	042390.P13279	3180

7590

04/23/2002

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EXAMINER

CLARK, SHEILA V

ART UNIT

PAPER NUMBER

2815

DATE MAILED: 04/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/990,622

Applicant(s)

Deppisch et al

Examiner

Sheila V. Clark

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 22-26 is/are allowed.
- 6) ☒ Claim(s) 1-3, 6, 8, 9, 12, 17, 19, 21, and 27-29 is/are rejected.
- 7) ☒ Claim(s) 4, 5, 7, 10, 11, 13-16, 18, and 20 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 6, 7, 12, 17, 19, 21, 27, 29 are rejected under 35 U.S.C. 102(b) as being anticipated by Berdlmaier et al.

Berdlmaier et al shows in figure 5 a thermally conductive heat spreader (module cap) a wetting layer (chromium barrier) formed on the lower surface of the spreader, a chip a metal interface material (liquid metal-indium) formed on the lower surface of the barrier layer.

The steps of forming , locating and heating are considered inherent in the processing of Berdlmaier et al.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 3, 9, 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berdlmaier et al in view of Lee.

Berdlmaier et al teaches the features recited in the claims as discussed above but

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fails to teach use of the wetting layers recited in the claims. Lee teaches use of gold wetting materials (See figure 12). The materials recited in the claims are not new to one having ordinary skill in this art and are deemed conventionally used as coating or wetting materials. Also as Berdlmaier et al fails to teach that only this material may be used and thereby suggests obvious use of other conventional materials wherein for example he uses the term "or equivalent" in the discussion of figure 5.

Claims 1, 2, 3, 6, 8, 9, 12, 17, 19, 21, 27, 28, 29 are rejected.

Claims 4-5, 7, 10, 11, 13, 14-16, 18, 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 22-26 are considered allowable over the prior art of record.

Spaight, Yoshikawa, Ando et al, Joshi, Koopman et al, Hassan et al, Kurakawa, Edwards et al and Atwood et al are cited to show use of low melt point interface materials.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner S.V. Clark whose telephone number is (703) 308-4924.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie Lee, can be reached on (703) 308-1690. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7722 or 7724.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

April 18, 2002



SHEILA V. CLARK
PRIMARY EXAMINER